

THE
DEBTORS' JOURNAL.

EDITED BY AN ASSOCIATION OF GENTLEMEN.

"MAN'S INHUMANITY TO MAN
MAKES COUNTLESS THOUSANDS MOURN!"

No. 6.] Saturday, Boston, Feb. 24, 1821. [Vol. I.

FOR THE DEBTORS' JOURNAL.

DEBTOR'S AFFAIRS.

In our last number we stated that the subject of swearing people out of jail had been investigated and that some justices were presented to the grand jury, &c.—We now undertake to give our readers some particulars relating to that transaction. A number of gentlemen, associated together for the purpose of defending the rights, and relieving the distresses of their fellow citizens, were informed, that the justices of the quorum, were in the habit of demanding and receiving exorbitant fees, for administering the debtor's oath to persons confined to the jail in the county of Suffolk. These gentlemen, feeling it their duty to look into the affair, made inquiry and were informed by some gentlemen of the bar, that the fees usually received by the justices were unlawful. They then selected a committee to take further measures to repel the evil; and the following is the doings of the committee.

The committee waited on Col. Austin, the county advocate, and after making known their business, asked him if Wm. DONNISON, Esq. and STEPHEN HOOPER, Esq. were liable to prosecution, for receiving the fees hereafter mentioned, his answer was that they unquestionably were, and informed the foreman what steps to take to bring them to justice, and to make out a regular complaint to the grand jury. The foreman then proceeded according to his advice, and made out a complaint against William Donnison, Esq. and James Allen, Esq. for demanding and receiving two dollars for administering the debtor's oath when no interrogatories were put.

Against Wm. Donnison, Esq. alone, for receiving two dollars for administering the debtor's oath, without an associate justice, as required by law.

Against Stephen Hooper, Esq. for receiving one dollar for his share for administering the debtor's oath in company with Benjamin Parsons, Esq.

Against one of the Constables of the town of Boston, for destroying a bail bond and holding a man prisoner after he had accepted it as bail.

This complaint being made out, the chairman called again on the county advocate and showed it to him for his inspection, who answered, that he would hand it to the grand jury, but observed that since he had first given his opinion upon that subject, he had read the law of 1818, here after quoted, which convinced him that justices had a right to receive two dollars for swearing debtors out of jail. The chairman made some opposition to his opinion, upon which he observed that he should not undertake to decide upon the construction of the law in that case, but said, he should be before the grand jury in the afternoon, and should expect him there to state what he knew relative to the whole business. The chairman accordingly went before the grand jury. The complaint was then read, and Col. Austin was asked whether the charges therein contained were actionable; he declined giving a decided answer, and called on the chairman to give the jury further information, who after being sworn, made a few remarks, and was then politely excused from any further attendance.

Soon after, the chairman called on the county advocate to know the fate of the complaint; and was informed that a bill was found against the Constable, but that the charges against the justices involved a law question, which the grand jury would ask the court.

The question was accordingly put to the court, who declined giving an answer until February term. At the February term the answer was given in writing, covering a half sheet of paper both sides, which answer we have, and should be very happy to give it to the public but have not been able to obtain the judge's consent that it should go into print. He very politely gave it to the chairman of the committee, but with a request that it should not appear in the News Papers. The amount of it is, that according to the following statute, justices of the quorum have a right to demand and receive one dollar each for administering the debtors' oath.

**FEBRUARY 24th, 1818, 6th Volume MASSACHUSETTS LAWS,
CHAPTER CLXXXVI.**

Be it enacted by the Senate, and House of Representatives in General Court Assembled, and by the authority of the same, That the Justices before whom any prisoner may appear, for the purpose of taking the poor debtor's oath, shall have power to adjourn their proceedings to any convenient time, on the same or the following day, until the examination shall be completed; provided, however, that they shall not adjourn more than twice upon the same examination, nor more than twenty four hours at a time; and the execution creditor, or

his attorney attending such examination, may propose to the debtor such interrogatories in writing, pertinent to the inquiry, as he may see fit; which interrogatories shall be answered in writing, before the said justices, by the debtor; and, if required by the creditor or his attorney, shall be by him signed and sworn to, before the said justices proceed to administer the oath to discharge such debtor from imprisonment. And the said creditor or attorney shall have a right to receive the said interrogatories and answers, certified by said justices, for which he shall pay them the same fees (travelling fees excepted) as for taking a deposition of the same length. And each justice shall receive of the debtor one dollar for each day they shall be necessarily employed in said examination, besides fifty cents to the justice who shall issue the notification to the execution creditor, and the same travelling fees as for taking depositions."

Being unlearned in the law, we cannot discover in this statute, any thing referring to cases where debtors are sworn out of jail without having any interrogatories put and answers returned. From the manner in which it is introduced and written throughout, it can have no allusion to the original law respecting debtors' oaths, or the fees allowed for administering them. "*For each day they shall be necessarily employed in said examination.*" Can this allude to the duty of swearing men out of jail where there is no examination? Does the statute look back beyond its date, and regulate the fees allowed by the law that already existed? No, it is evidently a law of itself, distinct from the former one, and enacted for a different purpose. The former law considered candidates for the debtors' oath all in one class; the latter makes a distinction. The former alludes to cases where debtors are not opposed by their creditors; the latter to cases of dispute and contention. Therefore the former is to be used when simply administering the oath, where there is no altercation between the parties; and the latter, in disputable cases exclusively.

This law of 1818 does not abolish any one that existed before it, and no statute can be found allowing more fees for an oath to a poor debtor than to any other person.—It would be an absurdity in common sense, if not in law, to allow a justice to demand of a man confined in prison, more pay for his services, than he would be entitled to if the man were placed in a more happy situation. We ought to consider our debtors laws, if not founded on equity and justice, to be at least founded on common sense.

It is pleaded that there are many duties connected with that of administering an oath to a poor debtor, and that the fees should be higher on that ground; but we cannot find that the justices do any other duty without charging a separate fee.

The following is a bill of prison fees charged to a poor man who was committed for a debt of five dollars.

| | | |
|----------------------|---|---------|
| Bond | - | \$ 1 00 |
| Key | - | 40 |
| Citation | - | 1 00 |
| Services of citation | | 50 |
| Approval of bond | | 50 |
| Oath | - | 2 00 |
| | | <hr/> |
| | | \$ 5 40 |

ESSAYS OF HOWARD—No. 3.

By a Prisoner.

I could endure chains, no where, patiently ; and chains at home, where I am FREE by B'RTHRIGHT,—not at all.....It would disgust and shock me !.....Cowper.

When that great philanthropist, Mr. Howard, of England, was confined in a gloomy dungeon in France, much as he suffered for want of wholesome food and pure air, it was not for himself alone that his heart was touched with sorrow. As he cast his eye around upon his fellow prisoners, he saw their pale and meagre countenances, and forcibly felt the mingled sensation of horror and pity. Some were made frantic by despair, and the walls of their dungeons echoed with incoherent but expressive reproaches to their keepers. Others sunk silently down on a pallet of straw, and fastening their blood-stained eyes on Mr. Howard, they expired, the wretched victims of unfeeling oppression. To the heart of sensibility, no appeal is so eloquent and irresistible as the last look of a dying man ; it is an appeal made on that awful isthmus that separates time from eternity. It was not lost on Mr. Howard. Silently and solemnly he vowed before that God whom he never ceased to adore, that if HE should be graciously pleased to preserve his life and grant him liberty, he would devote the residue of his days to the noble and glorious task of "giving the prisoner relief." He performed his vow. He made a "circumnavigation of charity." He was the pride of England, the admiration of the world ; and poets and orators united to praise him.

The prison itself would sooner convince men that imprisonment for debt is morally wrong, than all the logic that could be used on that subject. Let, therefore, the most obstinate supporter of the present laws by some unforeseen accidents be involved in debt ; let some exasperated creditor cast him into the miserable receptacle of debtors. Let him witness the scenes of riot, drunkenness, debauchery and vice, of a prison. When the hour of refreshment arrives, there shall be no food for him—when midnight comes, faint and famished as he is, he shall have no

place of rest. He shall be sick, but no physicians shall attend him—he shall tell his sufferings to his keeper—but instead of sympathy he shall meet with curses. Let him breathe the air of pestilence in summer, and no fire shall cheer him in the blast of winter. He shall subsist on the scattered crumbs of charity, with just strength enough to drag about his emaciated body, and the weight of his miseries shall so exhaust the powers of his mind, that he shall have just enough intelligence to understand how abject and wretched he is. When experience, the best teacher in the world, shall make him thus acquainted with the subject, on a sudden open the doors of his prison—give him to snuff the enlivening air of heaven, and to resuscitate under the invigorating influence of joyous liberty—send him to the capitol, and let him sit in the legislature on the grand question, to abolish the degrading system of slavery for debt. If he vote against the abolition—he is not a man, but a fiend—he is the inveterate, irredeemable enemy of liberty.

The advocates for imprisonment for debt ought to acknowledge, (if I can clearly demonstrate to their understanding, that the system is neither *right* nor *expedient*,) that forwith it should be altered or changed for a better one. Let us see how it operates on the morals of men.

In the year 1803, the yellow fever raged in this city with relentless fury. Every where the citizens fled from the destructive pestilence; the rich resorted to the seats of fashion and pleasure, the poor sought refuge in those shelters provided in the suburbs of the city by the benevolence of our active corporation. Humanity exerted herself in favour of every class of the community—except the debtors.

It seems as if this class of people have at all times been the legitimate heirs of misery, the step-children of society, whose peculiar lot it is to suffer in secret, without even the consolation of sympathy.

Those who have never reflected on the subject, do not know how much the debtor, shut out as he is from all pleasures, values even the slender joy of listening to the bustle of the busy city. Nor can they well understand how terrible was the gloom that prevailed in the prison, when pestilence had banished every one from town, and not a cart was heard to rattle on the pavements. When the prisoner ascended to the top of this “castle of indolence,” instead of the beauty and gaiety that was wont to enliven the prospect, he saw the houses and shops every where closed, and every object seemed to wear the appearance of death and desolation.

Among the prisoners who endured the indescribable horrors of this season, there was one named Smith. His wife and two daughters kept a boarding house in Water-street. They were too rich to be included in the class that was provided for by the corporation, and too poor to support the expenses of an exile in the country. They were, however, prepared to tax the friendship and charity of some of their neighbours for a little loan of money to enable them to move with their boarders to Greenwich, when Mr. Smith was arrested for a small debt, and thrown into prison.

This misfortune disconcerted their plan—the neighbours fled, and to increase the miseries of Mrs. Smith, the boarders, who had hitherto contributed to her support, fled also.

For a few days Mr. Smith was consoled by the visits, sometimes of his wife, and sometimes of his daughters. They brought him food. I witnessed the joy with which he received them—the painful anxiety with which he awaited their visits—the relief he felt when he heard they were well—and above all, the horror which he expressed when he first heard that his wife was sick with the fever. His daughter brought him this information. She said that no physician would attend her mother for fear of catching the disease—that doctor ***** had prescribed, but without seeing the patient; that her fever was very violent, and made her sometimes quite delirious. In this season of woe, it was the task of one of the daughters to take care of the sick mother, while the other prepared food and carried it to the father.

Let the gay and licentious stop one moment in the *business* of their pleasures, and contemplate the interesting picture of these two daughters walking thus unhurt amid the pestilence, in the holy occupation of filial duty.

The rest of the tale is told in a few words. Not long did they walk unhurt—first one, and then the other, was seized by this terrible epidemic. And, will you believe it? reader! no entreaty, no bribe, within the father's power, could prevail on any one to go to his house to bring him information of the state of his family!

I will not undertake to describe the heart-rending anxiety of that father, nor the horrors and tortures endured by that deserted family—but show me the man who can say that their sufferings are not more than commensurate for the SIN OF DEBT! The first and last information this unfortunate father ever received of his family was in the newspaper. They were buried in Potter's Field.

The father starved awhile in jail, till, at length, goaded by his suffering, he forged a check on the Manhattan Bank, was transferred to Bridewell, and from thence, after trial and conviction, condemned to the State Prison for seven years. Soured by misfortunes, and rendered misanthropic by unmerited sufferings, he exulted in his crime, and was often heard to advise people rather to be a criminal than a debtor in this country, for that society here furnished the criminal with conveniences of life, while the debtor was suffered to starve. He at length died, the enemy of society, cursing men! And this is one among the millions of instances in which slavery for debt has destroyed families, and ruined the morals of a man, who, under a rational government, might have lived, the defender of liberty, and a disciple of religion.

Unfeeling, cruel, pitiless and remorseless creditors; and legislators of New-York, careless, heedless and criminal as they, whether ye sleep or wake, may the spirits of injured Smith and his suffering family give ye no peace till your hearts shall be touched with pity, and your eyes be opened to the folly of your ways.

FROM THE CONNECTICUT HERALD.

"Money makes the mare go."

—Yes ;—"Money makes the mare go ;" and the horse and the cow, and every creature subject to the call of man ; and man himself ; and woman too. There is nothing under the sun, which money does not make go. A great poet tells us, that,

"Fortune in men has some small difference made"
One flaunts in rags ;—one flutters in brocade."

Had Mr. Pope lived in these latter days, or had he viewed mankind in his own time, through any other medium than that of fancy, or had he not feared to mar the melody of his verse, he would not have presented this difference as *small*. If we divest ourselves for a moment, of the prejudices of early education, and weigh custom fairly against common sense, we will not only be astonished, but alarmed, at the influence of money. The first lesson of childhood is,—"*Get money.*"—When we arrive at years of discretion, the respect paid to wealth by all around us, shows the necessity of adhering to this precept, if we would be respected. At this stage of life, the lesson becomes indelibly impressed upon the mind, and enters into the very heart. It is never forgotten in our projects ; indeed, it becomes the foundation on which all our schemes of happiness are based. It directs the passions, controls the affections, forms the opinions, and changes the man. It is now that money becomes the arbiter of love, the guide of reason, and the dictator of talents. Without it, we see that nothing can be obtained. We look at the man who "*flaunts in rags,*" and see, that whatever gifts of nature he possesses, though he be wise as Solomon, learned as a sage, pious as a saint, eloquent as Paul ; yet rags and respectability are incompatible. There is not a rich fool's word, that will not out-weigh *his* wisdom and his virtue.—No wonder then, if, on entering into the concerns of life, and engaging in business, so many become the slaves of sordid interest. Every thing we see and hear, teaches, that without money, we are without every thing which renders us respected in the eye of the world. A man of moderate capacity becomes learned, as he grows rich. Men bow down before the fool in purple, and children "*point the finger*" at the sage in rags. How many could be named, who were once the butts and laughing-stocks of those who knew them, that are now, from a change of fortune in the addition of a few thousands, become very intelligent men ? —How many, who now roll in coaches, with the spoils of widows and orphans in their pockets, are regarded as men "*of the first respectability*?" How many despicable wretches, born on the dunghill, and nurtured in the kennel, and whose lives would disgrace even their

birth and education, have been changed to all that is good, from all that was bad, by this same money? We may look back on the career of such beings, and think of the filth and mire through which the tinsel caterpillars have crawled to light, but dare not *speak* of it.

I am not opposed to the *honest* acquisition of wealth; and though a poor Shop-Keeper, envy no man for his property. I profess to be a Republican, and would not encourage any distinction of *rank* in society. But there ought to be a distinction between virtue and vice, wisdom and folly, learning and ignorance. The man who, by honest industry, has grown rich, and makes proper use of his acquisitions, is entitled to respect. If he possess learning, he deserves promotion. Such we may honour, without degrading ourselves.—There should be an everlasting barrier between him and the animal whose only claim to respectability is to be found in his Dollars. It is in the power of the rich to make this distinction. Let *them* change the standard of respectability from money to *worth*. The poor dare not, if they would. As long as they see that property in the higher walks, equalizes all other differences;—that “money makes” not only “the mare,” but Ass “go,” they will not trouble their heads about shades of character, or undertake to graduate the intellects of men. The question will still be,—not, what *is* he; but “*what has he?*”—The solicitude of Lycurgus to banish the use of money in Sparta, undoubtedly originated in the fear, that its influence would corrupt the people; and by raising to office the ignorant and the wicked, soon prostrate their liberties. Surely this fear was not without foundation. The experience of every day evinces it, in every government. Men who, without talents, or learning, or virtue, have become rich, are generally the first to offer themselves as candidates for places of honour. For ignorance, impudence and vice, are inseparable companions.—The consequences which must result from success in these instances, are obvious. The aristocracies and monarchies of the old world are awful beacons.—We now have too great a barrier between the rich and the poor. Unless we create distinctions among the rich themselves, this money-making, money-loving spirit, will soon ruin us.

JEREMY BROADCLOTH.



From a North Carolina Paper.

We cannot help congratulating our fellow citizens on the passing of an act at this session for “the relief of *honest* debtors”—an act which abolishes imprisonment for debt, and does our legislature immortal honor. The subject, it will be recollected, has, for two successive years, been recommended to the attention of the legislature by governor Branch.

But it is with difficulty that long established usages are abrogated, however unjust and cruel they may be: and the placing an unfortunate debtor on a footing with a criminal, we have always considered both unjust and cruel, as well as unbecoming a humane and Christian people. We therefore hartily rejoice that the practice is abolished, and that creditors will, in future, have to look alone to their debtors' property for satisfaction. An honest man, in North Carolina at least, can live without the fear of being thrown into a prison, in case misfortune should overtake him. We trust our sister states will, one after another, follow the laudable example thus set them, that, throughout the United States, the *person* of an honest, though unfortunate man, may be placed out of the power of unfeeling creditors.—*Raleigh Star*,

MR. LLOYD'S LETTER.

We were sorry to see in the Daily Advertiser a communication signed a friend to a well constructed Bankrupt law, calculated to diminish the influence of this valuable letter. The writer of that communication appears to doubt the truth of Mr. Lloyd's assertion, in regard to arresting the dead body of a person when proceeding to the grave. We would not undertake to bring any statue of law which particularly authorises such an arrest; but we can state a case. where it has been done in this state within ten years—we are in possession of the names of the parties, place and dates, and should publish them, but by so doing we should injure the feelings of some of the relations who are innocent, and are now in Boston.—We challenge the writer in the Daily Advertiser to prove that the law does not allow of its being done at any time—he to be sure undertakes to prove, by logical reasoning, that there can be no such law, because the body must be such an one as can give bail, &c. but to hold the body to bail cannot be the object of such an arrest; it is to induce the friends of the deceased to pay the debt, rather than have any difficulty at such a time.

After Mr. Shiridan's body was arrested for debt, when proceeding to the Tomb, the law which allowed of such transactions, was abolished in England, by an act of Parliament; but we have no information of an abolition of any law in this state that would save a body from arrest dead or alive.—According to a law of 1812, an officer would be subject to pay a fine for making such an attachment, still it is left in the power of the creditor to take such means to obtain his debt by paying the officer's fine.

We are of opinion that the letter of Mr. Lloyd is in every respect correct and true, and not deserving the objections made to it by the writer in the Daily Advertiser.

**ON IMPRISONMENT FOR DEBT, BY A
NORTHERN FARMER.**

Ought a man ever to be confined in jail for the debts he cannot pay? That such a practice is lawful, and is considered just, there can be no question; but let us examine both the truth and mistake of this matter. If there were but one way to produce poverty, and that through a criminal channel, more (or even every thing) might be said in favor of confinement. But almost endless are the ways by which men become poor. Does it not often arise from causes which foresight cannot provide for, nor care prevent? Such as sweeping and expensive sickness, loss of limbs, failure of crops, death of stock, loss of property in other people's hands, and often by enterprising swindlers and sharpers. Immense fortunes lost at sea, buried in a rolling ocean, which no human exertion can control; loss by vast political overturns which put a stop on a sudden to the ordinary course of national as well as individual concerns. Here we find the tallest tree most exposed to the wind, and enterprising and useful men most exposed to the blasts of fortune. Yet in all those several misfortunes the sufferer has incurred no guilt. Why then should a punishment from the law await him? It is (as an able writer has well observed) vengeance that breaks in upon innocence, and that alone just punishment alights upon guilt. Whoever is willing to acknowledge that rational liberty is the choicest gift that heaven has bestowed on man will also acknowledge that to be deprived of it is the greatest evil. There is a spirit in man that induces him to break through difficulty and live to triumph over all misfortunes, and when the calamities above mentioned have overtaken him, we behold him making head against them with courage and even cheerfulness. But the moment you enhance his calamities by adding contempt and imprisonment to them, you break the force of a generous mind. He feels that those evils which have already fallen to his lot are enough, the voice of reason cries enough. Why then should the law interfere to render those calamities irreparable? As a nation we are unwilling to acknowledge the dominion of a foreign nation over us in the smallest degree. What then are the feelings of an individual, when he finds himself a candidate for confinement in the bosom of his own country, and by its own laws, without being guilty of any crime greater than that of being an unfortunate man?

A short time after the close of the late war there were more men confined in jail for debt in this state, than were made prisoners by the enemy during the war belonging to any individual state in the union. Thus in the depth of peace, society was suffering an outrage worse than war! And again, if the debtor is poor and can pay nothing, the

creditor gets nothing except the malicious joy he may derive from the reflection that he is punishing a man as a criminal, who is guilty of no crime. No, it seldom proves beneficial to the creditor, and has been the ruin of many a good and brave man.

It is no matter whether he be confined to a room of ten feet square, or whether he have an acre of ground to walk on, it is confinement in both cases. Here the sinews of exertion relax; the objects of time lose their allurements; the creation turns to a vault wherein joy is entombed. It is a pause, a dead calm on the ocean of life, where the mind sickens and expires. It would be improper to call it a savage custom, for there is no such custom among them; but when any of those sons of nature are unfortunate in hunting, or otherwise in want, they do not send out one of their runners to catch and confine, but each throws in his mite with cheerfulness to relieve his sufferings and spare him the pains of feeling little among them. But it may well be called a barbarous practice, though nowhere to be found but where man pretends to love his neighbor as himself, and prays for the welfare of those who despitefully use him. The unmerciful practice of confining men for pure misfortune, took its rise in the dark and unlettered ages of the world, and having made its way down a region of years, it now seems as difficult to stop it, as to stop a torrent of water, and cause it to run backwards. But if ages have continued in a wrong course vastly too long, is that a reason why it should never end? That man should be compelled by law to pay the debts he owes (as far as lays in his power) is beyond dispute; his property ought all to be surrendered at the feet of his creditor, to be disposed of in a wholesome and equitable manner, except those articles which are necessary for the support of life itself. But he that takes up goods with the intention of never making a just remittance for them, degrades himself to the character of a thief; and to cast such a man into prison, at the expense of the creditor, there to remain twenty days, and then be restored to his liberty, by being allowed to swear he is poor, is a punishment too light. But he that has been overtaken by the calamities heretofore described, which may fall to the share of both good and great men, instead of persecution, deserves patronage and protection; and to confine that man at all, is a punishment too severe. Would it not be more equitable to punish no man with the jail for debt, than to couple the honest man and the knave together and punish both alike? Again, if only the idle, the intemperate and the vain, were poor, and only the just, the temperate, and industrious were rich, the subject would appear in a different light. It is often the case that a man by industry and economy becomes rich, whereby he is useful to himself and others. And it is ardently to be desired that the praiseworthy example he

sets may influence posterity to the end of time; for well may he be called a benefactor of mankind. On the contrary, a man by leading an idle and vicious life, may draw down suffering upon himself, and consequently merit no compassion; but that which arises from a consideration of the weakness of human nature.

But is wealth always acquired by just means? has it not been known to abound with the worst of men? does not overgrown wealth often owe its birth and progress to fraud and violence? may not a man be rich, mean and guilty? may he not be poor, and partake of all the noble faculties of the mind? It is true, successful actions are always called wise ones, and for the most part they are so, but to this are there not many exceptions? Do not well digested plans, in many cases fail men; while plans concerted on apparently less economy succeed in human affairs? Is it in the power of the human mind to explore a future period? is it in man that walketh, to direct his steps? Is the race to the swift, the battle to the strong, or riches to the man of understanding? Here the reader will be pleased to observe a divine writer has answered the above questions. The farmer that sows knows not that he shall reap. The fair trader, when he embarks his all on board a ship, knows not that he shall reach his destined port in safety. The sea rages, and in a moment his goods are gone. Is he a man of fortitude and integrity? Does he possess a cool and sensible courage? Even if all this can be said of him, it gives him no power over elements, and to this providential event he is bound to submit with silence. He has no right either as a Christian, a philosopher, or a man, to repine. For all a man has is under the dominion of fortune, and it is but man to suffer the lot of humanity. There is nothing in the abovementioned cases that does not apply to all unforeseen events that await man on the journey of life, whether of minor consideration or not; and happy might this luckless victim of frowning fate consider himself, were his misfortunes to end here. But they will not; for if his creditors are numerous, as probably they are if his business has been extensive, there will be a scene of captivity open before him, which is to end only with life. At the voice of his creditors, the prison doors will growl on thier hinges, and open their ponderous jaws, to receive him into confinement. And what renders it intolerable is, that it is cast upon him without just grounds of legal complaint.



MASONIC.

We had hoped, that in this free country, the persecuting spirit of bigots and enthusiasts no longer found advocates a-

among any portion of the community. We had hoped, that here at least we were at full liberty to obey the dictates of conscience, without subjecting ourselves to the anathemas of our fellow-mortals, or the denunciations of those who impiously presume to circumscribe the operations of the mind, or to control it within the limits of their own selfish and contracted views. But we have been deceived. Persecution is at work to put down one of the most benevolent, humane and charitable institutions, that ever existed, or that ever was devised by man for the temporal happiness of his species. We speak without fear of contradiction. The Masonic Society, against which this persecuting spirit has raised its demoniac head, has existed too long, has withstood too many convulsions, to be humbled by the efforts of ignorance, bigotry, and priestcraft.—The combined powers of church and state have assailed it—tyrants have sought its destruction—the Pope, the Inquisition, have denounced it: But the society still exists, still flourishes; and having defied the “thunders of the Vatican,” will not regard the puny efforts of its enemies anywhere.

These remarks have been occasioned by observing in the Western papers, a resolution entered into by several religious associations in Kentucky, declaring it “contrary to the character of their members, to become members of any Masonic or other secret society.” The associations alluded to, are the Elkborn Association, and the Baptist Society, in Lexington. It is useless to offer additional comments on these puerile efforts. A society that has been sanctified, (if we may use so strong an expression) by the wisdom of ages, and supported and encouraged by the immortal Washington, stands in no fear of dissolution from the hostility of ordinary men.

Savannah Rep.

Original Anecdote.—A justice of the peace was called on for the payment of a bill of seventy five cents, for sweeping his chimneys. Upon presenting the bill the squire asked if he would swear to the account; the man replied yes, if required;—the squire immediately swore him and handed him fifty cents. Stop squire, said the man, you are mistaken in the amount, 'tis seventy five cents; I know it, returned the squire, but I can't swear you for nothing.—*Balt. Tel.*

IMPRISONMENT FOR DEBT.

Among the interesting subjects agitated by Congress this session, is the resolution of Mr. Nelson, of Virginia, to prohibit imprisonment for debt. Thus, then, at last, this measure which has been lately advocated, (and most strenuously too,) by the wise and politic, and indeed the most able men in the nation, is about at least to come before the legislature of the Union. Let all reminiscence of such an odious and barbarous feature be driven from our statutes. So much has already been said against it, that it were useless to add more—indeed the folly, not to say cruelty of placing a man in prison (“*where he catch no skins*”) and particularly such a one as the Washington jail, where there is no difference between the confinement of felons and debtors, should be enough, in itself, to prevent such barbarism.—*Georgetown paper.*

BANKRUPT LAW.

From what information we have collected of the proceedings in congress, relative to the passing of a National Bankrupt Law, we are of opinion that the subject will not be effected this session; but trusting on divine providence, and the zeal and skill of those that are friendly to the measure, who appear to constitute a large majority in the Senate, we believe our depressed fellow citizens may hopefully expect to be relieved at the next session of Congress.

The following is a Letter from a firm in the country who had all their property attached without any fore-warning and were made Bankrupts by the sacrifice—We understand that their creditors, to whom the letter is addressed, have not commenced any suit against them, and have lost their debt by the conduct of other creditors, who sacrificed the property and collected all their pay.—So much for not having a regular system of Bankruptcy.

“We yesterday received a letter from your Attorney at Worcester, informing us that you had lodged your demands against us for collection; we regret that you should have adopted this course as it is not possible that you can avail yourself of any benefit by it.

We have no property whatever to attach, and no friend on whom we can rely for enabling us to pay any part of our debts at present, if ever; having already spent thirty days in jail, we are of the opinion, that should you use your power over us by prosecuting your suit to execution and confinement, (as it must issue in that if you do,) a kind providence will still support us, and a large and increasing family.

Believing therefore, that without a rational prospect of benefit to yourselves you will not willingly distress us, and especially that if by distressing us instead of getting any part of your debt, you add expense for yourself, you will on calm reflection stop further proceedings against us.”

MR. EPHRAIM MARSH,

SIR—On reflecting upon all the circumstances relating to loaning money to your son, when supported in business by your patronage, I formed an opinion that the transaction would furnish a very suitable subject for public animadversion; and serve for one, among many other proofs, that injustice can escape legal detection, when sustained by wealth. Considering your moral reputation to be in some measures involved, I addressed a line to you through the Post Office, requesting you to call on me, and it seems you did not think proper to notice my request; but are displeased to be taxed with Postage upon that subject. This, and your forbidding me to speak with you again, compelled me to resort to the liberty of the press, and to communicate my ideas to you through that channel.

I believe it to be morally unjust and criminal, for a man to hold a son up to the world as trust worthy, and suffer him to borrow his neighbours money, then to take his papers and property, and refuse to pay the loaned money, or show any reason why it could not be done.

I believe sir, that you had no moral right, to hold from me, your son's property, and let me be swindled out of two hundred dollars, loaned him, without any remuneration, but merely to do him a kindness, when transacting business, under your patronage.

I have good reason to believe that all was not fair on your part, concerning your son's business in 1817, by your refusing to show me any statement (at the time I called on you with my friend,) to convince me why I must lose my money.

The advertisement, of which I sent you a copy, I have not concluded to insert in this paper, but have reserved it for one of a more extensive circulation.—Some of the parts of that statement which you dispute, I have abundant proof to substantiate.—You need not flatter yourself that you can take any advantage of the Law of me, for publishing that statement as it now reads, for I have the best of Lawyer's opinions that no part of it is libelous.—I shall put that and other explanations before the public in due season; so you may accept of this short letter as a prologue to more interesting scenes; for nothing but a redress of wrongs shall restrain me from publishing such explanations on your conduct and your son's, as by the laws of my country I am permitted to do.—And I believe neither of you can deem this unfair when you consider that over three years have passed since I told you both, that I should make your conduct known to the public.

I am your Humble Servant,

E. COBB.

From the Eastern Argus.—OLD BACHELERS FOR SALE.—MR. PRINTER. In some parts of our country the attention of the public has lately been called to the subject of taxing old Bachelors.

How far such measures could be productive of public good, I am not at present prepared to say. I think at least, that justice would require some distinction between those who are Bachelors from necessity and those who are Bachelors from choice. It is not my object to enter at large into the merits of the question; I have made these observations merely by way of preface to a little scroll lately picked up in this town, in rather a mutilated state, which, as far as it could be read, ran thus:—

I dreamed a dream in the midst of my slumbers,
And, as fast as I dream'd, it was coin'd into numbers;
My thoughts ran along in such beautiful metre,
I'm sure I ne'er saw any poetry sweeter.
It seem'd that a law had been recently made,
That a tax on Old Bachelors' pates should be laid;
And, in order to make them all willing to marry,
The tax was as large as a man could well carry,
The Bachelors grumbled and said 'twere no use,
'Twas cruel injustice and horrible abuse,
And declar'd, that to save their own hearts blood from spilling,
Of such a vile tax they would ne'er pay a shilling,
But the Rulers determined their scheme to pursue,
So they set all the Bachelors up at vendue.
A crier was sent through the town to and fro,
To rattle his bell and his trumpet to blow,
And to ball out to all he might meet in his way,
"Ho, forty Old Bachelors, sold here to day."
And presently all the Old Maids in the town,
Each one in her very best bonnet and gown,
From thirty to sixty, fair, plain, red and pale,
Of every description, all flock'd to the sale,
The auctioneer then in his labor began,
And call'd out aloud, as he held up a man,
"How much for a Bachelor? who wants to buy?"
In a twink every maiden responded—"I—I,"
In short at a hugely extravagant price
The Bachelors were all sold off in a thrice;
And forty Old Maidens, some younger, some older,
Each lugg'd an Old Bachelor home on her shoulder.

Prisoners in Boston Jail.

For debt 26—Criminals 92—On the limits 10—Total 128.

THE DEBTORS' JOURNAL,

Is published monthly, at One Dollar and Fifty Cents per annum, half payable on the delivery of the first number, and the remainder in six months from that time.

Printed for the Editors, at the Office of E. G. HOUSE, Rogers's Building, Congress street, Boston—Where subscriptions and communications will be received.

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